

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
JOHN D. CERQUEIRA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION
	)	NO. 05-11652-WGY
AMERICAN AIRLINES, INC.,	)	
	)	
Defendant.	)	
_____	)	

ORDER

YOUNG, D.J.

November 22, 2006

The Court has carefully considered the law in light of the parties' briefs and presentations at oral argument. After full consideration, numerous genuine issues of material fact remain that preclude summary judgment and necessitate a determination by a trial on the merits. Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 247-48 (1986); Hayes v. Douglas Dynamics, Inc., 8 F.3d 88, 90 (1st Cir. 1993). The Court expresses the grave doubt, however, that the undisputed evidence, even considered in a light most favorable to Mr. Cerqueira, warrants the submission of the issue of punitive damages to the jury.

Accordingly, American's Motion for Summary Judgment [Doc No. 15] is DENIED. Cerqueira's Cross-Motion for Partial Summary Judgment [Doc. No. 20] is also DENIED.

SO ORDERED.

/s/ William G. Young

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WILLIAM G. YOUNG  
DISTRICT JUDGE